



October 2, 2003  
Date

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted

under one of the following:

☐ 37 C.F.R. §1.97(b).

☒ 37 C.F.R. §1.97(c). If so, then enclosed with this Information Disclosure Statement is one of the following:

☐ A statement pursuant to 37 C.F.R. §1.97(e) as follows:

☐ Each item of information contained in this information disclosure statement (IDS) was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS.

☐ No item of information contained in this information disclosure statement (IDS) was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in Sec. 1.56(c) more than three months prior to the filing of the IDS.

☒ A check for the fee required under 37 C.F.R. §1.17(p) for submission of the IDS.

☐ 37 C.F.R. §1.97(d). If so, then enclosed with this Information Disclosure Statement are both of the following

☐ A statement pursuant to 37 C.F.R. §1.97(e) as follows:

☐ Each item of information contained in this information disclosure statement (IDS) was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS.

☐ No item of information contained in this information disclosure statement (IDS) was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in Sec. 1.56(c) more than three months prior to the filing of the IDS.

☐ A check for the fee required under 37 C.F.R. §1.17(p) for submission of the IDS.

Charge Deposit Account

Please charge our Deposit Account No. 02-2666 for any additional fee(s) that may be due in this matter, and please credit the same deposit account for any overpayment.



Date: Oct. 2, 2003

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

A handwritten signature in black ink, appearing to read "Cory G. Claassen", written over a horizontal line.

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Enclosures: Postcard  
References (56)

|   |  |  |                          |              |
|---|--|--|--------------------------|--------------|
| Substitut for Form 1449A/PTO (Modified)   |  |  | <b>Complete if Known</b> |              |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br>(use as many sheets as necessary) |  |  | Application Number       | 09/900,423   |
|   |  |  | Filing Date              | July 6, 2001 |
|   |  |  | First Named Inventor:    | John E. Sell |
|   |  |  | Group Art Unit           | 2828         |
|   |  |  | Examiner Name            | Vy, Hung T.  |
| of 3  |  |  | Attorney Docket Number   | 42.P14874    |

### U.S. PATENT DOCUMENTS

| Examiner Initial | U.S. Patent Document No. <sup>1</sup> | U.S. Patent Document     |                 | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
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|                  |                                       | Number Code <sup>2</sup> | Kind (If known) |   |  |   |
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|                    |                 |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

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<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard S.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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## INFORMATION DISCLOSURE

## STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 3

Application Number 09/900,423  
 Filing Date July 6, 2001  
 First Named Inventor: John E. Sell  
 Group Art Unit 2828  
 Examiner Name Vy, Hung T.  
 Attorney Docket Number 42.P14874

## U.S. PATENT DOCUMENTS

| Exam.<br>Initial* | Cite<br>No. <sup>1</sup> | U.S. Patent Document |                                      | Name of Patentee or Applicant<br>of Cited Document | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear |
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|                   |                          | Number<br>known)     | Kind Code <sup>2</sup> (If<br>known) |  |  |  |
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| Exam.<br>Initial* | Cite<br>No. <sup>1</sup> | Foreign Patent Document |                     |                                      | Name of Patentee or Applicant<br>of Cited Document | Date of Publication<br>of Cited Document<br>MM-DD-YYYY | Pages, Columns,<br>Lines, Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|-------------------|--------------------------|-------------------------|---------------------|--------------------------------------|--|--|--|----------------|
|                   |                          | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(If known) |  |  |  |                |
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|                   | 54                       | WO                      | 03/005512           | A2                                   | NEW FOCUS, INC.                                    | 01/16/2003   |  |                |

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Date Considered

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

of

3

**Completeness** if Known

Application Number

09/900,423

Filing Date

July 6, 2001

**First Named Inventor:**

John E. Sell

Group Art Unit

2828

Examiner Name

Vy, Hung T.

Attorney Docket Number

42.P14874

## OTHER ART – NO PATENT LITERATURE DOCUMENTS

Examiner: IV  
Initials\*

Cite  
No<sup>1</sup>

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published

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